

AN ORDINANCE

**98416**

**AUTHORIZING THE EXECUTION OF A FIVE-YEAR LEASE AGREEMENT WITH BROOKS DEVELOPMENT AUTHORITY, AS LANDLORD, FOR APPROXIMATELY .5 ACRES OF LAND AND APPROXIMATELY 13,333 SQUARE FEET OF SPACE IN BUILDING 1106 AT BROOKS CITY-BASE FOR THE CITY'S PURCHASING & GENERAL SERVICES DEPARTMENT USE AS A VEHICLE MAINTENANCE FACILITY AT AN INITIAL BASE RENT OF \$4,666.55 PER MONTH INCREASING TO \$5,399.87 PER MONTH IN YEAR 4, PLUS ADDITIONAL RENT, UTILITIES AND SUPPORT SERVICES COSTS OF APPROXIMATELY \$4,430.00 PER MONTH; WITH THE RIGHT TO AN ADDITIONAL 8,579 SQUARE FEET OF SPACE IN BUILDING 1106, AND AN OPTION TO LEASE BUILDING 1107 (CAR WASH) CONTAINING 2,730 SQUARE FEET OF SPACE FOR AN INITIAL RENTAL OF \$955.50 PER MONTH INCREASING TO \$1,105.65 PER MONTH IN YEAR 4; AND A RENEWAL OPTION FOR TWO CONSECUTIVE FIVE-YEAR TERMS WITH RENEGOTIATED BASE RENT, SUBJECT TO CITY COUNCIL APPROVAL; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, Ordinance No. 95133 dated January 10, 2002 authorized a lease agreement between the City of San Antonio and the Secretary of the Air Force, acting on behalf of the United States Government, for the lease of Building 1106 and unpaved land located at Brooks Air Force Base for the City's vehicle maintenance facility which commenced on the effective date of the ordinance and terminated upon the date of conveyance of Brooks Air Force Base to the Brooks Development Authority or on September 30, 2002, whichever event occurs first, with a right to renew and extend for one (1) year if conveyance has not occurred by September 30, 2002; and

**WHEREAS**, the leased premises has since been conveyed from the Air Force to the Brooks Development Authority and it is now necessary to execute a lease between the City and the Brooks Development Authority for the City's continued use of Building 1106; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The execution of a new five-year Lease Agreement is hereby authorized between the City of San Antonio, as Tenant, and Brooks Development Authority, as Landlord, for the lease of approximately .5 acres of land and approximately 13,333 square feet of space in Building 1106 at Brooks City-Base for the City's Purchasing & General Services Department use as a vehicle maintenance facility at an initial Base Rent of \$4,666.55 per month increasing to \$5,399.87 per month in Year 4, plus Additional Rent, utilities and support services costs of approximately \$4,430.00 per month; with the right to an additional 8,579 square feet of space in Building 1106, once the Air Force has vacated such space, and an option to lease Building 1107

(car wash) containing 2,730 square feet of space for an initial rental of \$955.50 per month increasing to \$1,105.65 per month in Year 4; and a renewal option for two consecutive five-year terms with renegotiated Base Rent, subject to City Council approval.

**SECTION 2.** The City Manager or her designee is authorized to execute a Lease Agreement, a copy of which is affixed hereto and incorporated herein verbatim for all purposes as **Attachment I**, and any other instruments, as first reviewed and approved by the City Attorney in connection with the Lease Agreement.

**SECTION 3.** Funds in the amount of \$133,091.20 are hereby authorized to be encumbered in Fund No. 71-000000 (Internal Services Fund) in Index Code 235994 entitled "Rental of Facilities" and are made payable to **Brooks Development Authority**, for the lease agreement at Brooks City-Base for the period of November 1, 2003 through September 30, 2003. Funding for the remaining period of the lease agreement is subject to annual budget appropriations.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

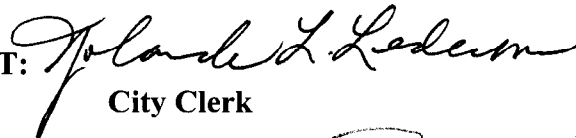
**SECTION 5.** This ordinance shall be effective on the 16th day of November 2003.

**PASSED AND APPROVED** this 6th day of November, 2003.

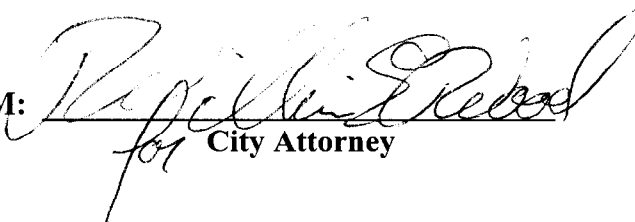
M A Y O R

EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
for City Attorney